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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Ninth session

SUMMARY RECORD OF THE 31st MEETING

Held at the Palais des Nations, Geneva,
on Friday, 26 November 1993, at 3 p.m.

Chairperson: Mr. ALSTON

later: Mr. MUTERAHEJURU

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GE.93-19645 (E)

The meeting was called to order at 3.10 p.m.

OTHER MATTERS

1. The CHAIRPERSON informed members that the Committee had been invited to take part in a meeting of national agencies to be held in Tunisia a week after the end of the present session. As the pre-sessional working group would be meeting at Geneva at that time and in view of the limited resources of the Centre for Human Rights, the simplest course would be for the Committee to request its Tunisian expert, Mr. Grissa, to represent it at the meeting of national agencies.

CONSIDERATION OF REPORTS (agenda item 4) (continued)

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT

Iceland (E/1990/5/Add.6; E/1990/5/Add.14 and HRI/CORE/1/Add.26) (continued)

2. At the invitation of the Chairperson, Mr. Kristinsson, Ms. Pálsdóttir and Ms. Helgadóttir (Iceland) resumed places at the Committee table.

Articles 10 and 11

3. The CHAIRPERSON invited the representatives of Iceland to continue their replies to the oral questions put by members of the Committee.

4. Ms. PALSDOTTIR (Iceland), replying to questions on the protection of children and on divorce (art. 10), said that the State only intervened in the daily lives of families in the cases duly prescribed by law in order to protect the children when one of the parents was unable to provide them with a suitable upbringing as a result of alcoholism, drug addiction, ill-treatment or other unacceptable behaviour. The competent authorities were then obliged to apply the measures established by law. First of all, they warned the parent in question that his or her behaviour had to change. They tended to postpone taking action which very often did nothing to improve the situation of the children. She did not know the exact number of cases in which the authorities had intervened, although in her opinion less than 5 per cent of Icelandic families had had dealings with them. The members should read paragraphs 189 to 192 of the report (E/1990/5/Add.6) in the light of those explanations. Divorce was a growing phenomenon, as in all western countries. The law on marriage set out the terms of divorce, including the financial aspect and custody of the children, where necessary.

5. Turning to the question of evictions (art. 11), she said that all tenants were protected by the law on tenants and that all owners had legal channels through which he or she could recover back rent or in some cases evict a tenant. Only the courts had the power to authorize evictions. However, it seemed that they had not been seized of cases of that kind for a very long time.

6. Mr. Muterahejuru took the Chair.

Articles 12 to 15

7. The CHAIRPERSON invited the representatives of Iceland to provide the information requested concerning issues Nos. 25 and 26 of the list of issues (E/C.12/1993/WP.10).

8. Ms. PALSDOTTIR (Iceland) said, with regard to issues Nos. 25 and 26, that members of the Committee would find information on the measures taken to ensure the realization of the rights provided for under articles 12 to 15 in the report (E/1990/5/Add.14) which had been submitted after the list of issues had been compiled. She would provide any further information required by the experts.

9. Ms. HELGADOTTIR (Iceland) said, with regard to the measures implemented to allow adults and elderly people to have access to education or to complete their studies (issue 26 (a)), that the members of the Committee should refer to paragraphs 157 to 159 of the report (E/1990/5/Add.14). An act on general education had been adopted in 1992 specifically aimed at giving adults the opportunity to complete their studies at all levels including primary, secondary and higher education. At present, most secondary schools offered special courses, including evening classes for those who wanted to complete their studies, whatever their age. School fees accounted for approximately one third of the teacher's remuneration. There were also several municipal centres for continuing education which provided basic education for adults in the same conditions as in secondary schools.

10. There was no age limit for beginning or ending university studies, but few people succeeded in combining work and study. In some enterprises it was possible to take a sabbatical for one year to continue studies. The Institute for Continuing Education which was attached to the University of Iceland offered a wide variety of courses for adults working full time, with a curriculum similar to that of ordinary university studies. Finally, various institutions organized educational leisure activities for adults and elderly persons. Retired persons were often eligible for a discount on course enrolment fees and some trade unions helped their members to pay them.

11. With regard to the measures taken to enable adults and elderly persons to participate in cultural life (issue No. 26 (b)), she said that persons of 67 years of age or more qualified for cut-price theatre or concert tickets. In the capital and most large cities, there were recreation centres where elderly persons could gather together and enjoy a variety of activities. One association in Reykjavik had its own cultural centre where elderly persons among other activities put on and acted in plays.

12. The CHAIRPERSON asked whether the members of the Committee had any questions.

13. Mrs. JIMENEZ BUTRAGUEÑO asked whether measures were taken not only to enable elderly persons to have access to culture and the benefits of scientific progress, but also to give them the opportunity to share the knowledge and experience they had gained during their working life.

14. Ms. PALSDOTTIR (Iceland) said that associations of elderly persons organized activities which gave their members the chance to share their experiences, but there was no formal structure through which elderly persons could pass on their knowledge to younger people. Nevertheless, that might well change in the short term as elderly people became a valid social force - people aged 65 years and over still accounted for only 10 per cent of the population, which was low compared to other European countries.

15. The CHAIRPERSON asked members of the Committee whether they had any comments to make on the reports submitted by Iceland.

16. Mrs. IDER said that she felt she was speaking for the entire Committee when she commended the serious approach adopted by the Icelandic authorities in drawing up reports for consideration by the Committee. It was obvious that the Government of Iceland was truly committed to applying the provisions of the Covenant and had achieved praiseworthy results in the sphere of education and health. She was particularly interested by the idea of a social security system, financed partly by the public sector and partly by the persons involved, to which all Icelanders, from the youngest to the oldest, had access. Other countries could learn a great deal from Iceland in that regard. The representatives of Iceland had provided the members of the Committee with a wealth of written information and given highly detailed and frank replies to the questions posed. Iceland's presentation of its reports was exemplary.

17. The CHAIRPERSON said that the Committee had concluded its consideration of the reports of Iceland. He thanked the representatives for their commendable efforts to provide the explanations requested by the experts and informed them that the Committee's concluding observations would be sent to the Government of Iceland by the secretariat.

18. Mr. Kristinsson, Ms. Pálsdóttir and Ms. Helgadóttir (Iceland) withdrew.

19. Mr. Alston resumed the Chair.

ORGANIZATION OF WORK (agenda item 2) (continued)

20. The CHAIRPERSON invited the members of the Committee to make their comments with regard to the consideration of reports.

21. Mr. ALVAREZ VITA asked whether the written replies of Mexico to the questions on its report, which amounted to a full 93 pages, would be translated into the other languages in time for the next meeting.

22. The CHAIRPERSON said that the text of Mexico's replies, which was in Spanish only, would be distributed that very day to members of the Committee so that they could prepare for the next meeting and that the delegation of Mexico would confine its oral presentation to the most important points.

23. Mr. SIMMA said that if, in the future, Governments were to adopt the practice of presenting their replies in written form, a method which had both advantages and disadvantages, their replies should be translated before the

presentation and if necessary the pre-sessional working group should be convened earlier, to avoid a lengthy document submitted in only one language being read out in full.

24. The CHAIRPERSON said that that solution could pose problems particularly in terms of the costs of translation, and the summary records of discussions which noted only oral presentations. The questions should be considered in depth.

25. Mrs. JIMENEZ BUTRAGUEÑO said that she acknowledged the importance of the written replies but also recognized that the language in which they were drafted posed a problem.

26. Mr. GRISSA said that he wondered how members of the Committee could judge the contemporary situation in countries for which the reports available sometimes dated back more than 10 years, when political and economic situations were changing rapidly.

27. The CHAIRPERSON acknowledged that old reports were only of very limited interest but that those referred to by Mr. Grissa were most likely initial reports. The documents continued to be distributed only so that they could be compared with more recent information and thus show how the situation in a country had developed.

28. Mr. GRISSA referred to the case of Germany for which there was a five-page report available dated 1993, and a 24-page document dated 1990 which obviously made no mention of reunification, let alone its attendant problems. The question was therefore how to assess the present situation in Germany on that basis.

29. The CHAIRPERSON, having clarified the dates of the reports of Germany, explained that there had to be a lengthy period between the submission by the Government of reports and their consideration by the Committee because of the time it took for them to be edited and translated, for a list of issues to be drawn up and the reports to be included on the agenda of a session of the Committee. He suggested the possible establishment of an informal working group made up of three members which would be responsible for devising a more efficient procedure for coordinating the submission and consideration of reports and the communication of supplementary information, and which would subsequently present its recommendations to the Committee.

30. Mr. BADAWI said that he was in favour of setting up a working group of that nature as soon as possible. Although there was no doubt that the written presentation of replies was of practical use, there were translation problems. One solution would be to ask delegations to present at the same time, a brief summary of their replies which could then be translated and published as an official document.

31. Mr. SIMMA said that he was not sure that a brief summary would be feasible since members of the Committee expected Governments to provide highly detailed information and the replies to a list of 30 or 40 issues contained much factual evidence. Furthermore, the establishment of an informal working group would be viable only if at least one of its members was familiar with

practical considerations, such as translation time, etc. Finally, although the 1992 report of Germany did not mention reunification, the pre-sessional working group had focused its questions on its consequences and the representatives of Germany would provide detailed replies.

32. The CHAIRPERSON said that the informal working group which had been suggested could initially comprise Mr. Grissa, Mr. Badawi, Mr. Simma and himself, and meet to make recommendations to the Committee.

The meeting rose at 4.05 p.m.